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VIOLATION PERSONNEL

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Edward J. Gamble
 THRU : Cmdr. B. W. Antell
 FROM : Civilian Division, Personnel Branch

DATE: 16 October 1945

SUBJECT:

It is our understanding that plans are now being drawn for a new organization to be substituted for the present S.S.U. Accordingly, from the Civilian Personnel standpoint, the following problems are of immediate and pressing concern:

I. Whether the so called "liquidation" of S.S.U. is to go forward and the present unit is to be abolished as of the close of business 31 December 1945 (As ordered in OSS General Order No. 93) or, whether there will be activities continued as "going concerns" beyond this date.

Under the authority of the Veteran's Preference Act of 1944 (Public Law 359, 78th Congress, 2nd Session), the U. S. Civil Service Commission has promulgated Reduction in Force rules which "apply to all civilian employees in the Executive Branch of the Federal Government and in the Municipal Government of the District of Columbia, except those whose appointments were required to be approved by the Senate and those appointed by the President of the United States". Reduction in Force is defined as, "the involuntary separation from the rolls of a department, or furlough in excess of 90 days, of one or more employees in order to reduce personnel. Reduction of personnel may have to be made because of lack of funds, personnel ceilings, reorganization, decrease of work, to make a position available for a former employee with established re-employment or restoration rights, or for other reasons". As an exception to the regular reduction in force rules there are special provisions which apply only to liquidation. They provide that, "Whenever it has been determined that all functions and all positions in an entire department, an entire governmental entity, or an entire competitive area are to be abolished within a specified time period, actions may be taken in regard to individual employees at different dates at administrative discretion; except that no employee with veteran preference shall be separated before an employee without veteran preference where their positions are immediately interchangeable. (Note: A mere limitation of authority to a specified date in the law which establishes, authorizes or extends an agency is not a sufficient basis for the application of the provisions of this section of these regulations)."

In such cases, the employees of the particular department, entity, or competitive area shall be given individual notices in writing containing a statement of the law, Executive order, or authority which requires the liquidation of the department, governmental entity, or competitive area, and the time period in which the liquidation is to be accomplished, and informing them of their rights to appeal to the Civil Service Commission if they feel that there has not been compliance with the provisions of these regulations. The notices shall also inform employees of their rights to retention on the rolls for at least 30 days, of the procedures necessary to exercise any restoration or reemployment rights they may have to positions in other departments, governmental entities, or competitive areas, and of the procedures necessary to have their names entered on the reemployment list."

Civilian Personnel

17 Sept. 1945

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A report of all liquidation programs shall be made to the Civil Service Commission which shall include (1) a copy of the law, Executive order, or other authority for the liquidation of the department, governmental entity, or competitive area; (2) a certificate that no employee with veteran preference is being separated in advance of any employee without veteran preference where their positions are immediately interchangeable; and (3) a list of all retention group A employees with classified (competitive) civil service status who have not been transferred or assigned to other positions. This report shall be submitted within 10 days after the first individual notices of separation are given to the employees affected." Where it is necessary to liquidate a major activity which is not an entire competitive area, the Civil Service Commission will consider a request to establish such activity as a competitive area for the purpose of such liquidation."

There is also a special rule relative to consolidation and mergers. It is, "Before any reduction in force is made as the result of the transfer of any or all of the functions of one department to another continuing department, all veteran preference employees and all retention group A employees assigned to any such function shall be transferred to such continuing department."

At the present time we are operating under a liquidation program (as defined by the Civil Service Commission). Whether or not this liquidation program should be continued or whether a reduction in force program should be substituted therefor, should receive serious consideration because of the criticism to which we would be subject if, on 1 January 1946, the S.S.U. continues to do business.

It is suggested that we discuss this matter with you in detail at your earliest convenience.

II. The employment of former armed service personnel as civilians in the same positions they occupied in uniform. This problem has been discussed with this office by Major Tharpe as it pertains to the Reproduction Branch. The classification of these positions is now in process and should be completed in three weeks. It is contemplated that upon discharge from the service these personnel will be requested to return as civilians to these positions. Insofar as Classification is concerned, the problem is routine. However, on 16 August 1945, the U. S. Civil Service Commission discontinued the war time method of certifying individual employees and reverted to the limited and circumscribed procedure which permits the examination and certification of only those civilians now employed by the government and honorably discharged veterans. This procedure carries with it the rule of certifying prospective appointees in the order of their competitive standing on the register. Therefore, we have no assurance that particular individuals may be brought back as civilians in any case. If the problem is one which you consider vital to the operations of this or any succeeding agency, it is possible that we may be able to get the concurrence of the U. S. Civil Service Commission in requesting the issuance of an Executive Order by the President permitting the Civil Service Commission to examine and certify these employees as War Service Appointee on a non-competitive basis. Should this be deemed desirable it is further suggested that an arrangement be worked out with the War Department whereby they will discharge these employees upon our certification that the positions which they are now occupying have been classified and their qualifications have been approved for appointment by the Civil Service Commission.

III. In planning the activities for the interim S.S.U. and the possible continuation of activities beyond 1 January 1946, the availability, use and limitations on funds should be kept in mind.

The Budget Office informs us that .002 ~~and .003~~ funds are almost completely exhausted at this time. By 1 January 1946, the amount of available .002 and .003 funds will be insignificant from an operating standpoint and it will be incumbent upon this agency to carry out all of its personnel transactions on .001 funds unless additional .002 or .003 funds are made available. Use of .001 funds requires that each individual job be classified in accordance with the Classification Act of 1923, as Amended, and approved by the U. S. Civil Service Commission Classification Division. The qualifications and status of the person to fill each of these positions requires the prior approval of the Civil Service Commission Examining Division. In no case will the Civil Service Commission approve appointments or position allocations retroactively. Therefore, all personnel transactions must receive the prior approval of the Civil Service Commission before an employee is entitled to payment. In establishing any new organization, and it applies equally well to any interim organization, it would be most helpful if an organization chart were drawn incorporating in each organizational unit the kind and total number of personnel together with a statement of functions to be performed. This would enable this division to classify positions in an orderly manner.

C. J. Francis

C. J. Francis, Acting Chief
Civilian Division, Personnel Branch

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ING SEPARATIONS, AND

W32

THRU : Mr. Edward J. Gamble
: Cmdr. P. W. Antell
: Civilian Division, Personnel Branch

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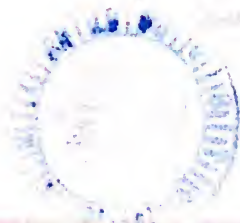
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C. J. Francis, Acting Chief
Civilian Division, Personnel Branch



17 Sept. 1945

MEMO TO: Col. Gamble
FROM : Lt. Col. R. A. Burns
SUBJECT: Liquidation Civilian Personnel

This special report is of interest in that we are getting close to the 1000 ceiling.

Mr. Francis informs me that most of the .003 personnel are overseas.

R.A.B.

ING SEPARATIONS, AND
MBER 1945

291
102
393

343

736

1900 (approx.) (U.S. only)

736

1164

15
1149

July-August-Sept. 13
September 14

¹⁹⁹
~~169~~ (approx.)
1

TOTAL

161
200

Total employees 1 July - - - - - 839

Terminated - - - - - 270
~~161~~

REMAINDER

~~678~~
639

Submitted to Col. Burns 17 Sept 1945

J.W. Root.

CIVILIAN EMPLOYEES - SEPARATIONS, PENDING SEPARATIONS, AND
REMAINING TOTAL - 14 SEPTEMBER 1945

.001 and .002 FUNDS

Form 63 completed

July - August - - - - -	291
September 13 - - - - -	<u>102</u>
TOTAL	393

Pending separations 14 Sept. - - - - - 343

TOTAL 736

Total .001 and .002 employees 1 July - 1900 (approx.) (U.S. only)

Less Form 63 and pending - - - - - 736

REMAINING 1164

Form 63 completed 14 Sept. - - - - - 15
REMAINING 1149

.003 FUNDS

Termination letters prepared

July-August-Sept. 13	199
September 14	<u>160</u> (approx)
	1

TOTAL 161
200

Total employees 1 July - - - - - 839

Terminated - - - - - 200
161

REMAINDER 678
639

Submitted to Col. Burns 17 Sept 1945
J.W. Hood.